ENVIRONMENTAL PROTECTION AGENCY



In the Matter of	5)			1
	* a s)	ar.		
E. I. du Pont	de Nemours	and	·)	Docket	No.	FIFRA-95-H-02
Co., Inc.,	18)			2 8
e)			
	Respondent)		(.6)	

ORDER GRANTING MOTION TO FILE AFFIDAVIT

Complainant's Motion for Leave to File an Additional Affidavit to Complainant's Reply to Respondent' Motion to Dismiss is granted. Complainant's Motion stated that the affidavit is simply the notarized version of a statement filed as an attachment to its Reply and thus contains nothing new to Respondent. Respondent advised this Office by telephone that it had no objection to the Motion. In this situation, ample justification exists for granting Complainant's Motion. Accordingly, the notarized version of the statement submitted with Complainant's Motion is Complainant's Reply.

Administrative Law Judge

CERTIFICATE OF SERVICE

I do hereby certify that the foregoing Order Granting Motion To File Affidavit was filed in re E.I. du Pont de Nemours & Co., Inc.; Docket No. FIFRA 95-H-02 and copies of the same were mailed to the following:

(Interoffice)

Patricia L. Simms, Esq. Caroline C. Ahearn, Esq. Toxics & Pesticides Enforcement Div. (2245A) Office of Enforcement & Compliance Assurance U.S. Environmental Protection Agency 401 M Street, s.W. Washington, D.C. 20460

(1st Class Mail)

Cara S. Jablon, Esq. Counsel for Respondent McKenna & Cuneo 1575 Eye Street, N.W. Washington, D.c. 20005

> Bessie L. Hammiel, Legal Assistant U.S. Environmental Protection Agency 401 M Street, s.W.

Washington, D.C. 20460

Dated: April 28, 1995